

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/27/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KALOMA CARDWELL,

Plaintiff,

-v-

DAVID POLK & WARDWELL LLP, THOMAS :
REID, JOHN BICK, WILLIAM CHUDD, :
SOPHIA HUDSON, HAROLD BIRNBAUM, :
DANIEL BRASS, BRIAN WOLFE, :

Defendants. :
-----X

1:19-cv-10256-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

During a telephone conference held on July 28, 2020, the Court granted leave for Defendants to move for an award of attorneys' fees based on Plaintiff's failure to comply with the case management plan entered by the Court, Dkt No. 27. The Court held that the "fees and expenses payable include any fees and costs associated with the briefing of" plaintiff's motion to serve delinquent discovery and "fees and costs associated with the negotiations that the parties engaged in before they filed their joint letter about the issue with the Court." July 28, 2020 Transcript, Dkt No. 67, at 12-13.

Defendants have moved for an award of attorneys' fees in compliance with the Court's direction during the telephone conference. Dkt Nos. 69-71. Defendants seek \$2,500. Memorandum of Law in Support of Motion Fees and Costs, Dkt No. 70, at 2. Defendants note that this figure is "substantially smaller" than the fees and costs they actually incurred. *Id.* Thus, Defendants seek substantially less than they would likely have been entitled to under the Court's prior order. *Id.*


Plaintiff has not opposed Defendants motion. Accordingly, the Court GRANTS

Defendants' motion for fees and costs in the amount of \$2,500. Counsel for Plaintiff is directed to pay that amount to Defendants' counsel no later than October 1, 2020.

The Clerk of Court is directed to terminate the motion pending at Dkt No. 69.

SO ORDERED.

Dated: August 27, 2020
New York, New York



GREGORY H. WOODS
United States District Judge